

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JENEITH SHANNON,

Plaintiff,

V.

FREEMAN LAS VEGAS,

Defendant.

Case No.2:14-cv-01714-GMN-PAL

**ORDER
and
AMENDED REPORT OF
FINDINGS AND RECOMMENDATION**

13 This matter is before the court on Plaintiff Jeneith Shannon's Motion for Extension of
14 Time to File an Amended Complaint (Dkt. #5). This matter was referred to the undersigned
15 pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 1-4.

16 Plaintiff is proceeding in this action pro se. On February 3, 2015, the court granted
17 Plaintiff's request to proceed in forma pauperis, and it screened Plaintiff's complaint pursuant to
18 28 U.S.C. § 1915(a). *See* Order (Dkt. #2). The court found the complaint failed to state a claim
19 upon which relief could be granted and permitted Plaintiff to file an amended complaint on or
20 before March 2, 2015. Plaintiff was warned that if she failed to file an amended complaint, this
21 case could be dismissed. Plaintiff failed to do so; thus, on March 12, 2015, the undersigned
22 recommended dismissal of this case. *See* Report and Recommendation (Dkt. #4). The court also
23 notified Plaintiff that she could file written objections to the recommendation within fourteen
24 days after being served with the findings and recommendations. *Id.*

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1 On March 24, 2015, Plaintiff filed a Motion for Extension of Time (First Request) to File
2 Amended Complaint (Dkt. #5) and an Objection to Report and Recommendation (Dkt. #6).

3 Accordingly,

4 **IT IS ORDERED** that:

- 5 1. Plaintiff's Motion for Extension of Time (First Request) to File Amended
6 Complaint (Dkt. #5) is GRANTED.
- 7 2. Plaintiff shall have until **May 10, 2015**, to file her amended complaint, if she
8 believes she can correct the deficiencies noted in the court's February 3, 2015
9 Order (Dkt. #2). The amended complaint must be a complete document in and of
10 itself and will supersede the original complaint in its entirety. Any allegations,
11 parties, or requests for relief from prior papers that are not carried forward in the
12 amended complaint will no longer be before the court.
- 13 3. Plaintiff shall clearly title the amended complaint as such by placing the words
14 "**FIRST AMENDED COMPLAINT**" below the case number, **2:14-cv-01714-**
15 **GMN-PAL**, on page 1 in the caption.
- 16 4. Plaintiff is expressly cautioned that if she does not timely file an amended
17 complaint in compliance with this order, this case may be immediately dismissed.

18 **IT IS FURTHER RECOMMENDED** that this case be dismissed and the Clerk of Court
19 be directed to close this case if Plaintiff fails to file an amended complaint on or before **May 10,**
20 **2015.**

21 Dated this 10th day of April, 2015.

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23 
24 PEGGY A. TEER
25 UNITED STATES MAGISTRATE JUDGE

26 **NOTICE**

27 These findings and recommendations are submitted to the United States District Judge assigned
28 to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being
served with these findings and recommendations, any party may file written objections with the

1 court. Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the
2 findings and recommendations of a magistrate judge shall file and serve *specific written*
3 *objections* together with points and authorities in support of those objections, within fourteen
4 days of the date of service of the findings and recommendations. The document should be
5 captioned “Objections to Magistrate Judge’s Findings and Recommendations.” The parties are
6 advised that failure to file objections within the specified time may waive the right to appeal the
7 district court’s order. *See Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). The points and
8 authorities filed in support of the specific written objections are subject to the page limitations
9 found in LR 7-4.

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